

## **REMARKS/ARGUMENTS**

The non-final Office Action of March 11, 2010 has been carefully reviewed and these remarks are responsive thereto. Claims 1, 8, 10, 12, 13, 15, and 22-25 have been amended, claims 14 and 21 have been canceled, and new claim 33 and 34 have been added. Claims 1-13, 15, 16, 19, 20, 22-25, 27, and 30-34 remain pending in this application. Reconsideration and allowance of the instant application are respectfully requested.

### **Personal Interview**

Applicants wish to thank Examiner Sheleheda for the courtesies extended to Applicants' representatives during the personal interview on May 18, 2010. Applicants agree with the Examiner's Interview Summary and adopt the same as Applicants' statement of substance of interview in accordance with MPEP § 713.04.

### **Rejections Under 35 U.S.C. § 112**

Claims 1-16, 19-21, and 27 stand rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the written description requirement. Applicants have amended claims 1 and 8 to recite the feature of "an interface configured to receive a signal comprising ...." The term "single" has been deleted as discussed and believed agreed to during the interview to overcome the rejection. Applicants respectfully submit that the rejection be withdrawn.

### **Rejections Under 35 U.S.C. § 103**

The claims are rejected under 35 U.S.C. § 103 as follows:

- claims 1-7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,410,326, hereinafter Goldstein, in view of U.S. Pat. No. 4,890,321, hereinafter Seth-Smith, and U.S. Pat. No. 5,192,999, hereinafter Graczyk;
- claims 8-16 and 19-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,477,262, hereinafter Bunker, in view of U.S. Pat. No.

5,539,871, hereinafter Gibson, in view of Graczyk, and in further view of Seth-Smith;

- claims 22, 23, and 30-32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Banker, in view of U.S. Pat. No. 4,665,559, hereinafter Benun, and in further view of Seth-Smith;
- claims 24 and 25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Banker, in view of Graczyk, in view of Benun, and in further view Gibson;
- claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Banker, in view of Graczyk, in view of Dekker, in view of Gibson, and in further view of Baji; and
- claims 28 and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Banker, in view of Graczyk, in view of Seth-Smith, in view of Gibson, and in further view of U.S. Pat. No. 5,027,400, hereinafter Baji.

Applicants respectfully traverse these rejections

Each of independent claims 1, 8, 22, and 23 have been amended to clarify that the upgrade circuitry is external to the terminal and that the audio signals are received by the external circuitry from the terminal. As agreed during the personal interview, such amendments overcome the art of record. Accordingly, Applicants respectfully submit that claims 1, 8, 22, and 23, and their respective base claims are now in condition for allowance.

Appln. No.: 09/964,891  
Amendment dated June 11, 2010  
Reply to Office Action of March 11, 2010

**CONCLUSION**

All issues having been addressed, Applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the Examiner is requested to contact the undersigned at (202) 824-3307.

Respectfully submitted,

**BANNER & WITCOFF, LTD.**

Dated June 11, 2010

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